

The Madison County Plan Commission on the above date at 9:00 A.M. with Bill Maxwell, President, presiding.

Members Present: Bill Maxwell, Paul Wilson, Phil Isom, Larry Crenshaw, John Orick, John Simmermon, Patrick Manship, Mark Gary and Wesley Likens.

Members Absent: None.

Also Present: Cory Wilson, Executive Director. Judy King, Plan Reviewer, Gerald Shine, Jr., Attorney, and Beverly Guignet, Secretary.

Current Business

1. Roll call was taken with all members being present,
2. The minutes of the November 19, 2009 meeting was distributed to each member prior to the meeting. Member Wilson made a motion to approve the minutes as presented. Member Simmermon seconded the motion. The vote was unanimous in favor of the motion.

The December 2009 meeting was cancelled.

New Business:

1. **Petition:** **2009-Z-003** **Zoned: GC**
Address: 7439 West State Road 28, Elwood, In
Location: South Side of State Road 28, approximately ½ mile West of CR-700 West
Petitioner: Ralph Lee and Amy Cole
Request: Rezone 1.4 acres from GC (General Commercial) to R2 (Single family Residential).

Ralph and Amy Cole, 7439 W St. Rd. 28, Elwood, IN were present representing this petition.

Mr. Cole told the Board the reason for the request was for the petitioner to refinance. The bank requires a residential zoning classification.

Director Wilson informed the Board that the Cole's were not the property owners when the comp plan update occurred. The subject site has all ways been used as a dwelling and not as a business. A Special Use would not be sufficient for the lender. This Technical Committee approved this request. There are a couple of other houses in the immediate area.

Mr. Cold stated they are also interested in purchasing the lot next to them to use as extra space.

The Cole's were informed that the neighboring lot would also require a residential classification if they did intend to purchase and use residentially.

There were no remonstrators present.

Member Likens made a motion to forward Petition #2009-Z-003 to the County Commissioners with a favorable recommendation.

Member Orick seconded the motion.

The vote was unanimous in favor of the motion. **Petition #2009-Z-003 is to be forward to the County Commissioners with a favorable recommendation.**

2. Petition: 2009-W-008 Zoned: R2
Address: 557 West 300 North, Anderson, IN
Location: South side of CR-300 North approx. ½ mile West of State Road 9
Petitioner: Micky and Amy Ancil
Request: Waiver of the Subdivision Control Ordinance to provide for a 1053.3 foot long, and 365.3 wide lot resulting in a depth 2.9 times greater than the width (lots not permitted to be 2.5 times longer than the lot width, or 913.25 feet for this lot).

John Manship, Surveyor, 626 Jackson Street, was present representing the Ancil's.

Mr. Manship told the Board there is an existing house on the property. When the Ancil's applied for a permit for a pool it was brought to their attention it had never been a buildable lot. The property owners are now in the process of obtaining an Administrative Subdivision. Because of the way it was split they do not comply with the Zoning Ordinance so they are seeking these waivers.
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There were no remonstrators present.

Member Wilson made a motion to approve Petition #2009-W-008

Member Orick seconded the motion.

The vote was eight yes: Maxwell, Wilson, Likens, Simmermon, Orick, Gary, Isom and Crenshaw. One abstain; Manship. The motion carried. **Petition #2009-W-008 was approved.**

3. Miscellaneous

Election of officers:

Member Simmermon made a motion, seconded by Member Likens to nominate Bill Maxwell as Board President.

Member Wilson made a motion, seconded by Member Likens to close the nominations for Board President.

The vote was unanimous in favor of the motion. **Bill Maxwell is President of the Board for 2010.**

Member Wilson made a motion, seconded by Member Isom to nominate Wesley Likens as Board Vice President.

Member Maxwell made a motion, seconded by Member Likens to close the nominations for Vice President of the Board.

The vote was unanimous in favor of the motion. **Wesley Likens is Board Vice President for 2010.**

Member Maxwell made a motion, seconded by Member Likens to nominate Beverly Guignet as Secretary to the Board.

Member Gary made a motion, seconded by Member Wilson to close the nominations for Secretary to the Board.

The vote was unanimous in favor of the motion. **Beverly Guignet is Secretary to the Board for 2010.**

Member Gary made a motion, seconded by Member Likens to retain Jerry Shine as Board Attorney.

The vote was unanimous in favor of the motion. **Jerry Shine is Board Attorney for 2010.**

2010 Calendar:

Member Simmermon made a motion, seconded by Member Orick to approve the MCPC calendar for 2010. The vote was unanimous in favor of the motion. **The calendar for 2010 was approved.**

The Board was informed that Petition 09-Z-01 was withdrawn as no new additional information was provided.

Mr. Shine stated that the November minutes indicated that the Hamptons would be continued until December. Nothing further has been submitted.

Mr. Shine informed the Board last month a claim came in from AT & T but now the county has some kind of set up with Verizon concerning the cell phones. There are a couple of cell phones that are not being used that the office is still paying for. There are some air cards that are being charged for. Director Wilson was asked to look in to that last month and the bill issue was resolved.

Before next month Mr. Shine and several Board members stated they would like to have the two cell phones and the air card taken care of. Also, Michael Hershman's name needs to be taken off of the bill. It should be billed to the Plan Commission office only.

Director Wilson replied he would look in to the cell phones and the air card and have this taken care of.

Also, the claims need to be reviewed and signed by the Director, which would be a change of current procedure.

At the first of each year it has been past practice to have either an Executive Session or have a committee to review each of the employees. It was the consensus of the Board to have an Executive Session to review the MCPC staff. This will be held February 9th right after the MCPC regular scheduled meeting.

Mr. Shine told the Board the Planning Department has a program up there that is called, ISID. After meeting with the Plan Commission, Drainage Board and Angie Patel, the Drainage Board is going to start using this. It tracks the property and gives all kinds of useful information concerning, zoning, splits, drainage, Health Department, etc.

Director Wilson informed the Board about the upcoming meeting of the Technical Review Committee, but he wanted the Board to have some insight as to what's going on. Nutrition 101 is the name of the company. They are a spinoff of Nestle. They contacted the Plan Office about needing a site close to Nestle where they can construct a 5,000 to 10,000 square foot structure. They take anything that does not meet quality control at the Nestles facility; empty the contents of the bottle, take the plastic that is left over, and send it off to be recycled. The product that is remaining can be mixed with some feed for local farmers.

They are looking at a site that is near the State Police Post and the Juvenile facility on St. Rd. 67. They have also been in negation with Hancock County. However, they preferred the location outside of Pendleton. I recommended they go to the Tech Review just to give them some idea of what is taking place. The property is zoned agricultural and according to our Comprehensive Plan this would be a permitted use and does not need to come before this Board.

I felt that based upon the information they submitted they were a permitted AG use. However, in the closing of my letter I did state, this is not an approval from the Planning Commission. This does not mean this is a go at this site. We won't know more until it goes before the Tech Review. I don't foresee the Tech Review approving this at this time as this would need more looking into. They will also need to go before the Drainage Board.

The Board wants to make sure this will not be an industrial use in agricultural. There was some concern from Commissioner Wilson that this should come before them for some kind of review other than just going before the Tech Review.

Director Wilson stated as more information comes in he would share that with the Board.

Member Orick made a motion, seconded by Member Manship to adjourn. The vote was unanimous in favor of the motion.

Adjournment: 10:23:00 A.M.

Bill Maxwell, President

Beverly Guignet, Secretary

